

CIVIL ACTION NO. 5:11-CV-778-XR

**DEFENDANTS' 8971 INC. AND ERIC JEWELL'S EMEGENCY APPEARANCE OF COUNSEL AND
ADVISORY TO THE COURT**

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2. It appears from the Record that a Motion for Entry of Default Judgment Was recently served upon Defendants 8971 Inc. and Eric Jewell on August 24th and recently filed.

3. Accordingly, Defendants' counsel for Defendants 8971 Inc. and Eric Jewell request that due to the serious nature of the pending motion and the response date being unknown, that the Court refrain from ruling and give Defendants 8971 Inc. and Eric Jewell time to file a motion for Leave to extend time to file a response to give new counsel an opportunity to review the entire record and investigate the matter further and provide a clear response to the Court. It is anticipated that a Motion for Leave to extend time to respond to the Motion for default Judgment will be filed no later than on August 29th 2012.

4. The Any small delay in ruling n this matter will not serve to harm Plaintiffs and can only prejudice and harm Defendants. Defendants' counsel needs an opportunity to confer with opposing counsel about whether they oppose the motion for leave and also needs time to fully review the matter. Following the Motion for Leave, Defendants would file a full response to the Motion for Entry of Default Judgment.

Respectfully submitted,

By: _____ /s/ _____

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Federal Rules of Civil Procedure, a copy of the Defendants' Emergency Appearance of Counsel through the Electronic Case Filing System for the Western District of Texas.

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